

JOINT ANTELOPE VALLEY AUTHORITY

**Board Meeting
September 26, 2002**

Meeting Began at: 9:05 a.m.
Meeting Ended at: 9:55 a.m.

Members Present: Allan Abbott, Christine Jackson, Glenn Johnson

Others Present: Roger Figard, Amy Cornelius, Rick Herrick, Randy Stramel, Joel Pedersen, Margaret Remmenga, Mike Morosin, Wayne Teten, Bruce Sweney, Wynn Hjermstad, Jack Lynch, Duncan Ross, Scott Lewis, Paul Zillig, Bob Campbell, Jim Cook, JJ Yost, Ron Ring, Luanne Finke, Pam Manske Glenn Cekal

Order No. 00-02 - Call Meeting to Order

Glenn Johnson called the JAVA Board meeting to order at 9:05a.m.

Order No. 01-02 - Minutes of Previous Meeting

Jackson moved to approve the minutes of the August 20, 2002 Board meeting. Abbott seconded.

AYE: Jackson, Johnson, Abbott

NAY:

Order No. 02-02 - Election of Officers

Each year in the September meeting, the JAVA By-Laws state that the election of officers will take place. There are three positions: Chair, Vice-Chair, & Secretary/Treasurer.

Johnson opened the floor for nominations for the position of Chair. Abbott moved to nominate and elect Johnson as chair and Jackson seconded.

AYE: Jackson, Johnson, Abbott

NAY:

Johnson opened the floor for nominations for the position of Vice-Chair. Abbott moved to nominate and elect Jackson as Vice-Chair and Johnson seconded.

AYE: Jackson, Johnson, Abbott

NAY:

Johnson opened the floor for nominations for the position of Secretary/Treasurer. Jackson moved to nominate and elect Abbott as Secretary/Treasurer and Johnson seconded.

AYE: Jackson, Johnson, Abbott

NAY:

Order No. 03-02 - Consideration of Audit Proposals

Joel Pedersen stated that the City's auditing firm has been tentatively engaged subject to the Board's ratification to proceed with an audit of JAVA. The By-Laws call for an Audit Sub-Committee. Pedersen recommended that Abbott serve on the committee along with one other individual. The Audit Sub-Committee will receive the report so that the Audit Sub-Committee can authorize the expenditure of reimbursement. Pedersen indicate that it will be less than \$5000. The Audit Sub-Committee has the authority to get this arranged and to receive a report from the auditor and then bring the report back to the JAVA Board. Johnson appointed Abbott and Jackson as the Audit Sub-Committee members who will work with Margaret Remmenga.

Order No. 04-02 - Citizen's Committee Appointments

There are three committee members whose 2-year terms are expiring. Following the procedure that was adopted in January of 2002, JAVA advertized that these positions were open for appointment or re-appointment. We did receive indications from the three individuals who had these positions that they were interested in retaining their positions. There were no other letters of interested submitted to the JAVA Board. The appointments would be for a 3-year term.

Jackson moved to re-appoint Luann Finke, James Mastera and Randy Stramel for a 3-year term on the JAVA Citizen's Committee. Abbott seconded.

AYE: Jackson, Johnson, Abbott

NAY:

Order No. 05-02 - Approval of the Project Cooperation Agreement with the Corps of Engineers

Pedersen stated that the essence of this agreement is to support JAVA's role as the property owner and project coordinator. One of the main issues is how the financing would be handled and what property rights the Lower Platte South, NRD needed because JAVA would eventually turn the channel

maintenance and operation obligations back over to the Natural Resources District. Pedersen had a Grant of Easement amendment prepared for the JAVA Chair's signature. There was an issue on how the Corps wanted to handle the escrow for the funding. The latest draft has been provided to the Finance Director of the City. The expense is eligible as a project expense and accommodates the Corps requirements. The JAVA Board has authorized the easement as it is required by the Corps of Engineers, this easement will be signed by the Chair.

The agreement is at the Corps of Engineer's headquarters for review. As Johnson understands it, the Corps has basically given a positive review with a few words being changed, but nothing significant.

Pedersen described that the Project Cooperation Agreement. It sets forth the roles of all the parties involved and basically the mechanics of how the Corps will bid and construct the project. Since the Channel improvements are done through the Corps, they take primary responsibility. The agreement identifies JAVA and the NRD as local sponsors, as responsible to pay for a portion of the project. The Corps' requires that the sponsors be permanent. JAVA is designed to go away when the project is completed. The Corps of Engineers wanted assurance that the project had the where-with-all to be completed with the partners involved. So, the local sponsors are the Natural Resources District for their permanent role and JAVA for its on-going project related responsibilities.

Abbott moved to authorize JAVA to approve the Project Cooperation Agreement between the Department of the Army for the Antelope Creek Flood Control Project. Jackson seconded.

AYE: Jackson, Johnson, Abbott

NAY:

Order No. 06-02 - Resolution Authorizing Appraisals, Title Work, Relocation Studies, and Acquisition and Relocation for 2046 R Street Property in Antelope Creek Phase II Flood Protection Project.

Pedersen handed out drafts of JAVA Resolution #02-0926-06 - (attached) The property at 2046 R Street is identified as currently being for sale. This is according to the Channel Improvement Project that was approved on April 16, 2002; JAVA project # 020416. The resolution as it is drafted would allow JAVA to purchase and acquire the property at 2046 R Street.

Abbott moved to adopt Resolution #02-0926-06. Jackson seconded.

AYE: Jackson, Johnson, Abbott

NAY:

Mike Morosin from the Citizen's Committee asked if notification of this was presented to the neighborhoods? He stressed concern about the neighborhoods being given consideration that such action that is being taken. Figard indicated that this resolution was simply the paperwork to move forward with what had already been approved early on in the process. Morosin stated that he wanted to be notified that these types of resolutions were coming forward at meetings so that if he or any other individual had any concerns, he would have the opportunity to bring those forward before finalizing the resolution. His concerns were noted. Johnson reminded those listening that the Citizen Committee's role is not in right-of-way acquisition. Abbott said that it is not unreasonable to request that the neighborhoods be informed when right-of-way acquisition will occur, but reminded everyone that there is not much that can be changed.

Order No. 07-02 -Aesthetic Package for Roadways and Bridges

Jack Lynch from the Design Team gave a short presentation on the aesthetic package for the roadways and bridges for the Antelope Valley Project. Topics presented were the Antelope Valley logo, materials used for intersections, walkways, landscaping and bridges and items such as lighting, public art and benches. One main aspect of the aesthetics are the bridges. There are 8 bridges in the Channel, with 'O' Street bridge being the main signature bridge and the other 7 bridges being considered "little brother" bridges and should be consistent in design. There is still the opportunity to add a neighborhood element to the smaller bridges using banners and naming or branding of geographical areas.

Stramel from the Citizen's Committee stated that the changes that have been made and were presented at the meeting are very positive. He feels that things are getting narrowed down to something quite impressive. Stramel acknowledged that as the design develops, that there will be changes. He approves of the direction that the design is headed toward.

Abbott moved to use these aesthetic concepts as designs for the various components of the Antelope Valley Project. Jackson seconded.

AYE: Jackson, Johnson, Abbott

NAY:

Order No. 08-02 - Authorization to Appraise Right-of-Way from K to Q

Pedersen handed out drafts of JAVA Resolution #02-0926-08 - (attached). This resolution authorizes appraisals, title work, relocation, geotechnical and other studies pertaining to the N/S Roadway Project (K to Q Streets). There are 10 tracts listed in the Resolution, these tracts are listed by tract number and includes street addresses.

Jackson moved to adopt Resolution #02-0926-08.. Abbott seconded.

AYE: Jackson, Johnson, Abbott

NAY:

Order No. 09-02 - Staff Reports

Pedersen advised that it may be appropriate to consider pursuing and obtaining a sales tax exemption for JAVA. Pedersen indicated that he would complete research on this and get back to the Board.

Abbott moved, if needed, to request legislation for a sales tax exemption for JAVA.

Jackson seconded.

AYE: Jackson, Johnson, Abbott

NAY:

Herrick provided a brief progress report on the redevelopment plans. The selection committee through a RFP and interview process has selected a group of firms to complete the East Downtown and surrounding neighborhoods redevelopment plan. They are: RTKL (architectural firm), ERA (Economic Research Associates - financial planning), Hanna:Keelan (Blight Study), Kim Todd (Landscaping). Contract negotiation is currently in process with those consultants. Herrick indicated that all is on schedule with what was previously proposed.

Teten gave a brief update on the Northeast Community Park. It is on schedule, but there is one change. Parks and Rec has indicated that they have enough money left over to purchase the Bookstrom property. So the Sports Complex would be moved there instead of its present planned location. This will be coming to the JAVA Board next meeting with a resolution for acquisition. The Bookstrom property was part of the original plan.

Johnson asked Teten to give an update on the Bid schedule for the Flood Control Project. Teten indicated that the Corps of Engineers have scheduled the bids for October 9, 2002, subject to the approval of the Project Cooperation Agreement.

Order No. 10-02 - Citizen's Committee Reports

Stramel appreciated that the incumbent members whose terms had expired were re-appointed. He felt that continuity is very important at this stage in the project's process.

Order No. 11-02 - Non-Agenda Items

Cekal stressed a concern about the meeting not being televised or held at the County-City Building.

Meeting adjourned at 9:55a.m.